

## REMARKS

In the Office Action mailed March 14, 2007, the Examiner took the following action: (1) rejected claims 1, 2, 4-6, 10-12, 15, 16, 18-20, 24, 25, 28, 29, 31 and 33-40 under 35 USC §103(a) as being obvious over Cable et al. (US 3,226,027); (2) rejected claims 7-9, 21, 30, and 43-48 under 35 USC §103(a) as being obvious over Cable et al. (US 3,226,027); (3) rejected to claims 13, 26, 41, and 42 under 35 USC §103(a) as being obvious over Cable et al. in view of Adams (US 3,627,436); and (4) rejected claims 22 and 23 under 35 USC §103(a) as being unpatentable over Cable et al. Applicants respectfully request reconsideration of the application in view of the foregoing amendments and the following remarks.

### *I. Rejections under 35 U.S.C. §103(a)*

#### Claims 1-2 and 4-13

As amended, claim 1 recites an apparatus for supporting a manufacturing tool relative to a workpiece, the apparatus comprising a track assembly configured to the workpiece with a *plurality of vacuum attachment devices* and including *at least one* rail (emphasis added). As disclosed in the background of the invention, the invention is designed to facilitate manufacturing operations including, for example, “aircraft, missiles, ships, railcars, sheet metal buildings, and other similar structures.” (page 2, Line 9). Since these structures may commonly consist of composite, aluminum or other non-magnetic materials, the use of vacuum attachment devices is desirable.

#### Cable (U.S. 3,226,027):

In relevant part, Cable discloses an apparatus comprising a single track assembly attached to a work piece (15) via magnets (13). Cable fails to disclose, teach, or fairly suggest the apparatus recited in claim 1. Specifically, Cable fails to teach or fairly

suggest an apparatus that is attached to the workpiece “*with a plurality of vacuum attachment devices and including at least one rail.*” (emphasis added). According to Cable, the apparatus is designed to “hold a welding and/or cutting machine and the like against a selected work surface adapted to a magnetic holding.” (1:21-23). According to Cable, the magnets are critical to “enhance attachment” of the tooling machine to the rack. (1:15-16). There is no teaching or suggestion in Cable of a rack that can be affixed to a work piece which is neither magnetic nor adapted to hold a magnet as recited in claim 1. In addition, there is no teaching or suggestion in Cable of an apparatus comprising of at least one rail as recited in claim 1.

Adams (US 3,627,436)

In relevant part, Adams discloses an apparatus comprising of a single rack (11) assembly bolted to a work piece (12). Adams fails to disclose, teach, or fairly suggest the apparatus recited in claim 1. Specifically, Cable fails to teach or fairly suggest an apparatus that is attached to the workpiece “*with a plurality of vacuum attachment devices and including at least one rail.*” (emphasis added). According to Adams, the rack is anchored to the work piece via pre-drilled mounting holes which may be plugged to seal the work piece after the rack has been removed. (3:46-51). The plurality of vacuum pads (29) discussed in Adams, push the rack away from the work piece in order to keep the rack from deforming under the weight of the apparatus (3:62-70). There is no teaching or suggestion in Adams of a rack that can be affixed to a work piece via a vacuum. The use of vacuum attachments is desirable because it eliminates the need to drill unnecessary holes in the work piece. In addition, there is no teaching or suggestion in Adams of an apparatus comprising of at least one rail as recited in claim 1.

For the foregoing reasons, claim 1 is allowable over Cable and Adams, either singly or in any properly motivated combination. Claims 2 and 4-13 depend from claim 1 and are allowable over the cited references at least due to their dependencies on claim 1.

#### Claims 15-16, 18-26, and 28

As amended, claim 15 contains similar limitations to those described above with respect to claim 1, and by similar reasoning, claim 15 is allowable over the cited references. More specifically, as amended, claim 15 recites an assembly for performing a manufacturing operation on a workpiece, the assembly comprising a track assembly configured to be attached to the workpiece “*with a plurality of vacuum attachment devices and including at least one rail.*” (emphasis added).

As described above, Cable and Adams do not disclose, teach, or suggest the apparatus recited in claim 15. More specifically, Cable and Adams fail to teach or fairly suggest a track assembly attached to a workpiece with a *plurality of vacuum attachment devices*. (emphasis added). Furthermore, Cable and Adams also fail to teach or fairly suggest a track assembly that includes *at least one rail*. (emphasis added).

For the foregoing reasons, claim 15 is allowable over Cable and Adams, either singly or in any properly motivated combination. Claims 16, 18-26, and 28 depend from claim 15 and are allowable over the cited references at least due to their dependencies on claim 15.

#### Claims 29-31 and 33-42

As amended, claim 29 contains similar limitations to those described above with respect to claim 1, and by similar reasoning, claim 29 is allowable over the cited references. More specifically, as amended claim 29 recites a method of performing a manufacturing operation on a workpiece, the method comprising attaching a track assembly to the workpiece “*with a plurality of vacuum attachment devices and including at least one rail.*” (emphasis added).

As described more fully above, Cable and Adams do not disclose, teach, or suggest the apparatus recited in claim 29. More specifically, Cable and Adams fail to teach or fairly suggest a track assembly attached to a workpiece with a *plurality of*

*vacuum attachment devices*. (emphasis added). Furthermore, Cable and Adams also fail to teach or fairly suggest a track assembly that includes *at least one rail*. (emphasis added).

For the foregoing reasons, claim 29 is allowable over Cable and Adams, either singly or in any properly motivated combination. Claims 30-31 and 33-42 depend from claim 29 and are allowable over the cited references at least due to their dependencies on claim 29.

#### Claims 43-45

As amended, claim 43 contains similar limitations to those described above with respect to claim 1, and by similar reasoning, claim 43 is allowable over the cited references. More specifically, as amended claim 43 recites an “assembly attachable to the workpiece with a *plurality of vacuum attachment devices* and including a *plurality of rails*.” (emphasis added).

As described more fully above, Cable and Adams do not disclose, teach, or suggest the apparatus recited in claim 43. More specifically, Cable and Adams fail to teach or fairly suggest a track assembly attached to a workpiece with a *plurality of vacuum attachment devices*. (emphasis added). Furthermore, Cable and Adams also fail to teach or fairly suggest a track assembly that includes a *plurality of rails*. (emphasis added).

For the foregoing reasons, claim 43 is allowable over Cable and Adams, either singly or in any properly motivated combination. Claims 44-45 depend from claim 43 and are allowable over the cited references at least due to their dependencies on claim 43.

#### Claims 46-48

As amended, claim 46 contains similar limitations to those described above with respect to claim 1, and by similar reasoning, claim 46 is allowable over the cited

references. More specifically, as amended claim 46 recites a method of performing a manufacturing operation on a workpiece, the method comprising attaching a track “assembly to the workpiece with a *plurality of vacuum attachment devices*, the track assembly including a *plurality of rails*.” (emphasis added).

As described more fully above, Cable and Adams do not disclose, teach, or suggest the apparatus recited in claim 46. More specifically, Cable and Adams fail to teach or fairly suggest a track assembly attached to a workpiece with a *plurality of vacuum attachment devices*. (emphasis added). Furthermore, Cable and Adams also fail to teach or fairly suggest a track assembly that includes a *plurality of rails*. (emphasis added).


For the foregoing reasons, claim 46 is allowable over Cable and Adams, either singly or in any properly motivated combination. Claims 47-48 depend from claim 46 and are allowable over the cited references at least due to their dependencies on claim 46.

### CONCLUSION

Applicants respectfully submit pending claims 1, 2, 4-13, 15, 16, 18-26, 28-31 and 33-48 are now in condition for allowance. If there are any remaining matters that may be handled by telephone conference, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

Respectfully Submitted,

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